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07 UNITED STATES DISTRICT COURT  
08 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

09 UNITED STATES OF AMERICA, )  
10 Plaintiff, ) Case No. CR05-215-MJP  
11 v. )  
12 MICHAEL A. VULCANO, ) SUMMARY REPORT OF U.S.  
13 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
14

15 An evidentiary hearing on a petition for violation of supervised release in this case was  
16 scheduled before the undersigned Magistrate Judge on April 25, 2008. The United States was  
17 represented by Assistant United States Attorney Janet Freeman, and the defendant by Jennifer  
18 Horwitz. The proceedings were digitally recorded.

19 The defendant had been charged and convicted of Bank Fraud, in violation of 18 U.S.C.  
20 § 1344. On or about November 18, 2005, defendant was sentenced by the Honorable Marsha J.  
21 Pechman to a term of twenty-four (24) months in custody, to be followed by five (5) years of  
22 supervised release.

23 The conditions of supervised release included the requirements that the defendant comply  
24 with all local, state, and federal laws, and with the standard conditions. Special conditions  
25 imposed included, but were not limited to, participation in a substance-abuse program, financial  
26 disclosure, \$77,645 restitution, submit to search, maintain single checking account; disclose all

SUMMARY REPORT OF U.S. MAGISTRATE  
JUDGE AS TO ALLEGED VIOLATIONS  
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01 assets and liabilities, and not transfer, sell, give away, or otherwise convey any asset without  
02 approval; prohibited from incurring new credit charges or opening additional lines of credit  
03 without approval; do not obtain or possess any driver's license, social security number, birth  
04 certificate, passport, or any other form of identification in any other name without approval.

05 In a Petition for Warrant or Summons dated January 18, 2008, U.S. Probation Officer  
06 Tammy M. White asserted the following violations by defendant of the conditions of his  
07 supervised release:

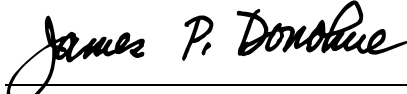
- 08 (1) Using cocaine on or before August 15, 2007, and October 9, 2007, in violation of  
09 standard condition #7.
- 10 (2) Failing to submit a truthful and complete written report within the first five days  
11 of the month for September, October, November, and December 2007, in  
12 violation of standard condition #2.
- 13 (3) Failing to report for urinalysis testing on November 5, 13, 19, and 27, 2007, in  
14 violation of special condition #1.
- 15 (4) Failing to notify the probation officer of a change in residence on or about  
16 November 10, 2007, in violation of standard condition #6.

17 On April 18, 2008, defendant made his initial appearance. The defendant was advised of  
18 the allegations and advised of his rights. On April 25, 2008, this matter came before the Court  
19 for an evidentiary hearing. After being advised of his rights, defendant admitted to violations 1,  
20 3, and, 4. Alleged violation 2 was withdrawn and dismissed without prejudice by the government.

21 I therefore recommend that the Court find the defendant to have violated the terms and  
22 conditions of his supervised release as alleged in violations 1, 3 and 4, and that the Court conduct  
23 a hearing limited to disposition. A disposition hearing has not been set before the Honorable  
24 Marsha J. Pechman

25  
26 Pending a final determination by the Court, the defendant has been detained.

01 DATED this 25th day of April, 2008.

02   
03 JAMES P. DONOHUE  
04 United States Magistrate Judge

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06 cc: District Judge: Honorable Marsha J. Pechman  
07 AUSA: Ms. Janet Freeman  
08 Defendant's attorney: Ms. Jennifer Horwitz  
09 Probation officer: Mr. Tammy M. White  
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